THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :28353 of 2007

DATED:31-12-2007

BETWEEN:

B.Prabhakar.

..... PETITIONER

AND

The Chief General Manager,
Singareni Collieries Company Limited,
Area-1, Ramagundam mandal,
Karimnagar District & 2 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner; learned Government Pleader for Revenue; and the learned counsel appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 2nd respondent in not passing orders in the appeal, dated 01-11-2007, preferred by the petitioner against the orders of the 3rd respondent vide Memo No.B/1068/2006, dated 22-10-2007, rejecting the request made by the petitioner for correction of pahanies entries in respect of land admeasuring Ac.0.35 guntas in Sy.No.718 situated at Jangoan village, Ramagundam mandal, Karimnagar District, as illegal, and arbitrary.

3. It is the case of the petitioner that he has sold an extent of Ac.5.19 guntas in Sy.No.718 out of

Ac.6.14 guntas in favour of the 1st respondent-Chief General Manager, Singareni Collieries Company Limited, Ramagundam mandal vide registered sale deed No.1168/70, dated 31-07-1970. Petitioner made a representation for correction of the pahanies in respect of the remaining unsold land, and the said representation has been dismissed by the

3rd respondent-Tahsildar, Ramagundam vide Memo No.B/1068/2006, dated
22-10-2007, on the ground that the entire land is in occupation of the 1st respondent and on verification of the spot it is revealed that there are no patta lands adjoining the said survey number and all the patta lands adjoining the said number were owned by the 1st respondent.

4. Learned counsel appearing for the petitioner submits that though the left over land is a pot kharab area existing in the form of nallah (a drain) passing through it, petitioner is entitled to ownership of the said land and therefore entitled for rectification of the revenue records before entering his name in the revenue records in respect of the unsold land, however, petitioner filed an appeal before the 2nd respondent-Revenue Divisional Officer, Peddapalli and the same is pending.

5. Having regard to the facts and circumstances of the case, 2nd respondent is directed to consider and dispose of the said appeal, dated 01-11-2007, after giving reasonable opportunity to all the concerned as expeditiously as possible without any unnecessary delay.

6. Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

V.ESWARAIAH,J

31st December, 2007.
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